

REMARKS

This paper is filed in response to the Office Action dated May 7, 2003. Because this paper is filed on November 7, 2003 with a three-month extension of time, the paper is timely filed.

Status of Amendments

Claims 1-43 were pending prior to this amendment. By this amendment, applicants cancel claims 1-43 and add claims 44-65. However, because there was no increase in the number of independent (3) or total (43) claims presented, this response does not require a further fee to be paid.

Response to Office Action

In the May 7 Office Action, the abstract is objected to as allegedly lacking “clear and concise language,” and in particular for restating the claim language. MPEP 608.01(b) has been reviewed, and nothing can be found therein that suggests that the abstract may not restate or paraphrase the language of the claims. Still, given that the claims have been amended, the applicants have amended the abstract, and request that the objection to the abstract be reconsidered. This abstract has been reviewed in regard to the comments made concerning the “proper language and format for an abstract,” and the undersigned believes that the abstract complies with requirements set forth.

Also in the May 7 Office Action, claims 1, 10 13, 18, 22, 25, and 34 are rejected under 35 U.S.C. 112, second paragraph, as being allegedly indefinite. In particular, the phrase “value stimulation” is noted. While these claims have been cancelled, thus mooting the rejection, the applicants submit that the adjective “value” in the phrase “value stimulation” is not intended to nor does it describe the recipient of the stimulation, but rather the type of stimulation provided. That is, in the same way that an “aural stimulation” is a stimulation that comes in the form of a noise, sound, etc., a “visual stimulation” is a stimulation that comes in the form of an image, light display, etc., and a “physical stimulation” is a stimulation comes in the form of a vibration, etc. or an odor, etc., a value

stimulation is a stimulation that comes in the form of value. Consequently, the applicants submit that this phrase is not indefinite.

Additionally, claims 1-3, 6, 7, 9-19, 21-27, 30, 31, and 33-43 are rejected under 35 U.S.C. 103 as being allegedly unpatentable over Luciano et al. (U.S. Patent No. 6,537,150) in view of Takemoto et al. (U.S. Patent No. 5,807,177). Claims 4, 5, 8, 16, 17, 20, 28, 29, and 32 are rejected under 35 U.S.C. 103 as being allegedly unpatentable over Luciano et al. in view of Takemoto further in view of Bennett (U.S. Patent No. 6,224,482). As claims 1-43 have been cancelled, the rejections are moot. However, applicants have the following remarks regarding Luciano et al., Takemoto et al. and Bennett.

Claim 44 recites, for instance, recites that a plurality of spinning reel images are displayed, each image representing a spinning slot machine reel on a slot machine with a plurality of reels. Claim 44 further recites that a set of stopped reel images are displayed in place of one or more of plurality of spinning reel images, each stopped reel image representing a stopped slot machine reel with at least one symbol thereon and the number of stopped reel images in the set of stopped reel images being less than that in the plurality of spinning reel images. An in-game outcome associated with a configuration of the symbols on the set of stopped reel images displayed is determined, and an in-game stimulation is provided selected from the group consisting of a 3-dimensional aural stimulation, a visual stimulation, a value stimulation and a physical stimulation according to the in-game outcome. Furthermore, a plurality of stopped reel images are displayed in place of the plurality of the spinning reel images, each stopped reel image representing a stopped slot machine reel with at least one symbol thereon and the plurality of stopped reel images including the set of stopped reel images, a game outcome is determined associated with the configuration of the symbols on the plurality of stopped reel images displayed, and a value payout is determined based on the game outcome.

Luciano et al. discloses, teaches and suggests nothing about an in-game outcome or stimulation, as those terms are used in claim 44. Rather, Luciano et al. states, for example, at col. 7:22-30 (with reference to Fig. 1):

the system determines the outcome, i.e. the award, of the play, using the technique described above, or its equivalent. . . . [T]he system determines a symbol [e.g. 777, BBB, PPP, 000 or the like] to be displayed to the player, the symbol being consistent with the outcome previously determined. . . . [T]he

system displays the symbol to the player, and also displays the associated award (which may be zero).

Luciano et al. does not discuss any outcome determination occurring when less than all of the reels are stopped, nor any stimulation occurring as a consequence of such an outcome. To the extent Luciano et al. suggests anything, it teaches away from making such a determination by suggesting that once the symbol is determined consistent with the outcome, the symbol (which includes all the reels) is displayed.

Neither Takemoto et al. nor Bennett provide the missing disclosure, teaching or suggestion. As in Luciano et al., these references do not discuss, teach or suggest in-game outcomes and stimulations as recited in claim 44. To the extent that Bennett discusses a “sub-game,” Bennett states the player is “invited to press the play button 44 to commence a jackpot sub-game and when pressed, the reels will spin and stop. In the event that any one of the reels displays a bird symbol 43 on the payline the player will be awarded an incremental jackpot prize the total jackpot value available will be decremented by an equivalent amount and the player will be invited to play again.” Col. 6:33-39. Thus, the outcome of the sub-game is determined based on a survey of all of the stopped reels, which defines a game (as further reflected by the fact that, after the determination of whether a bird is displayed, the player may be “invited to play again.”).

Given the similarities between claims 44 and 52, it is submitted that the foregoing comments apply with equal force to claim 52 as well.

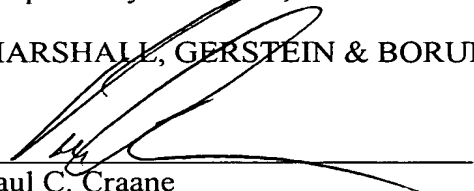
In view of the foregoing, it is respectfully submitted that the above application is in condition for allowance, and reconsideration is respectfully requested. If there is any matter that the Examiner would like to discuss, the Examiner is invited to contact the undersigned representative at the telephone number set forth below.

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN

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